

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Meelad Dezfooli,

Case No.: 2:24-cv-01108-APG-EJY

Petitioner

V.

Order Dismissing Petition for Writ of Habeas  
Corpus without Prejudice

Christopher Chestnut,

## Respondent

9 Petitioner Meelad Dezfooli, a pretrial detainee in federal custody, seeks habeas relief  
10 under 28 U.S.C. § 2241 in relation to the revocation of pretrial release in his federal criminal  
11 matter. ECF No. 1-1; *see* 2:22-cr-00142-RFB-DJA at ECF No. 152.<sup>1</sup> He paid the filing fee, so  
12 his application to proceed *in forma pauperis* is denied as moot. ECF No. 1. For reasons that  
13 follow, the petition is dismissed without prejudice.

## Background

15 In June 2020, Dezfooli was charged in federal court with 8 counts including bank fraud  
16 and money laundering in connection with loans obtained under the Covid-era Paycheck  
17 Protection Program (“PPP”). On November 16, 2023, the court granted the Government’s  
18 motion to revoke pretrial release and detain defendant pending trial. 2:22-cr-00142-RFB-DJA at  
19 ECF No. 84. The court concluded that the Government demonstrated probable cause that  
20 Dezfooli engaged in money laundering (violating federal law) and gambling (violating  
21 conditions of release) and thus revoked his pretrial release. Recently, on May 6, 2024, the court  
22 denied Dezfooli’s motion to reopen detention hearing. *Id.* at ECF No. 152.

<sup>1</sup> The court takes judicial notice of the docket in case number 2:22-cr-00142-RFB-DJA.

## 1 Discussion

2 Dezfooli asks this court for “immediate outright release from detention” in his criminal  
3 case. ECF No. 1-1 at 8. But this court lacks jurisdiction to direct another federal district court to  
4 take any action in an ongoing, separate, criminal case. Dezfooli contends that his pretrial  
5 detention in his criminal case is hampering his ability to preserve business records and identify  
6 and locate witnesses in that case. ECF No. 4. So he maintains that he seeks relief regarding  
7 “issues not pending in the criminal trial.” *Id.* at 4. Of course this is not accurate because he is  
8 complaining that his pretrial detention in the criminal case is interfering with his ability to defend  
9 himself in his criminal case. This is an issue for the consideration of the judge in the criminal  
10 matter.

11 Even as a practical matter, this court cannot, in a habeas proceeding, sit in judgment of  
12 the court’s decision in Dezfooli’s criminal case. If Dezfooli prevailed in this case, the only  
13 remedy available would be an order directing his custodian to disregard the order of another  
14 judge in this court, which would put the custodian in the position of having to disobey one of the  
15 court’s two orders. Because this court is unable to provide Dezfooli any habeas relief, this case  
16 must be dismissed.

17 Finally, the court notes that any relief that a petitioner seeks by this court must be raised  
18 in a motion filed with the court. Letters or other contact with the court, court staff or the Clerk of  
19 Court will not be considered and will not receive a response.

## Conclusion

I THEREFORE ORDER that petitioner's application to proceed *in forma pauperis* [ECF

No. 1] is DENIED as moot.

I FURTHER ORDER that the petition is **DISMISSED** without prejudice.

I FURTHER ORDER that a certificate of appealability will not issue.

I FURTHER ORDER that the Clerk of Court enter final judgment dismissing this petition

and close this case.

DATED this 1st day of July, 2024.



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ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE